APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,083	08/27/2001	Timothy R. Feldman	M-9793 US	6399

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EXAMINER
BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 August 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _11_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-19 are presented for examination on the merits. Applicant's preliminary

amendment dated 26 November 2001 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Ginter et al.

(hereinafter Ginter), U.S. Patent Application Publication 2002/0112171 A1.

As per the following claims, Ginter discloses:

1. A secure electronic content system, the system comprising: a controller including an interface

component; a host system coupled to the controller, the host system configured to present

content under predetermined conditions, the host system operable with a navigation protocol, the

host system further including a system manager operable with: an associations component

configured to be at least partially run by the host system; a translator configured to provide

meanings and generate commands within the host system; at least a first digital rights

management (DRM) component configured to provide encoding and access rules for the content;

and a file system component including a file system application programming interface (API)

configured to provide a logical interface between a plurality of components (¶134-144; figures 4, 8-10 and associated text).

2. The system of claim 1 further comprising a medium operable with the host system and the controller, wherein the medium holds the content in files accessible via one or more of the first DRM component, the file system component, and a second DRM component (¶162-169).

3. The system of claim 1 wherein the content is governed by one of the first DRM component in conjunction with a second DRM component, by the first DRM component, and by the second DRM component in conjunction with the file system component (¶108-135).

4. The system of claim 3 wherein the first DRM component governs access to pre-recorded content on a medium via a secure application programming interface (API) (¶145-161).

5. The system of claim 3 wherein the second DRM component governs access to pre-recorded content on a medium via a secure application programming interface (API) associated with the first DRM component (¶183-195).

6. The system of claim 1 wherein the host system is operable with a computer system, the host system preventing access to the content by the computer system (¶110).

7. The system of claim 2 wherein the medium operable with the host system and the controller is

a media disk (¶159, 198, 384).

8. The system of claim 1 wherein the host system further includes an engine component, the engine component including predetermined metadata inaccessible outside the engine, the engine configured to provide a security layer of encryption (¶91, 118-136).

9. The system of claim 1 wherein the host system is coupleable to a server equipped to provide cryptographic data to an engine component within the host system, the engine component including predetermined metadata inaccessible outside the engine (¶1979).

10. A method of securing electronic content, the method comprising: interfacing a controller to provide input and output of data; and coupling a host system to the controller, configuring the host system to present content under predetermined conditions, operating the host system with a navigation protocol, operating a system manager on the host system, the host system operable to: configure an associations component to be at least partially run by the host system; configure a translator to provide meanings and generate commands within the host system; configure at least a first digital rights management (DRM) component to provide encoding and access rules for the content; and configure a file system component including a file system application programming interface (API) to provide a logical interface between a plurality of components (¶134-144; figures 4, 8-10 and associated text).

11. The method of claim 10 further comprising operating a medium with the host system and the

controller, wherein the medium holds the content in files accessible via one or more of the first

DRM component, the file system component, and a second DRM component (¶162-169).

12. The method of claim 10 wherein the content is governed by one of the first DRM component

in conjunction with a second DRM component, by the first DRM component, and by the second

DRM component in conjunction with the file system component (¶108-135).

13. The method of claim 12 wherein the first DRM component governs access to pre-recorded

content on a medium via a secure application programming interface (API) (¶145-161).

14. The method of claim 12 wherein the second DRM component governs access to pre-recorded

content on a medium via a secure application programming interface (API) associated with the

first DRM component (¶183-195).

15. The method of claim 10 wherein the host system is operable with a computer system, the

host system preventing access to the content by the computer system (¶110).

16. The method of claim 10 wherein the controller is operable with a computer system, the

controller preventing access to the content by the computer system (¶110).

17. The method of claim 11 wherein the medium operable with the host system and the

controller is a media disk (¶159, 198, 384).

18. The method of claim 10 wherein the host system further includes an engine component, the

engine component including predetermined metadata inaccessible outside the engine, the engine

configured to provide a security layer of encryption (¶91, 118-136).

19. The method of claim 10 wherein the host system is coupleable to a server equipped to

provide cryptographic data to an engine component within the host system, the engine

component including predetermined metadata inaccessible outside the engine (¶1979).

Examiner has pointed out particular references contained in the prior arts of record in

the body of this action for the convenience of the applicant. Although the specified citations

are representative of the teachings in the art and are applied to the specific limitations within

the individual claim, other passages and figures may apply as well. It is respectfully requested

from the applicant, in preparing the response, to consider fully the entire references as

potentially teaching all or part of the claimed invention, as well as the context of the passage

as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

- US Patent Application Publication 2002/0035697 A1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bbb
April 5, 2004

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600